

FILED

RONALD YANDELL / 5045824

SACRAMENTO MAIN JAIL

JUN 01 2021

651 "I" STREET

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERKSACRAMENTO, CA. 95814
IN PRO SEIN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIARONALD YANDELL
PLAINTIFF
V.

CASE NO. 2:21-CV-000469-JAM-AC

1) SHERIFF SCOTT JONES

First Amended Complaint

2) COMMANDER BRANDON WILK

3) ASSISTANT COMMANDER
McKINASTE badge # 165

DEMAND FOR JURY TRIAL

4) ASSISTANT COMMANDER
HAMPTON badge # 50

5) SGT. SCHALLER badge # 2021

6) SGT. PEAU badge # 128

7) SGT. SNIKA badge # 38

8) CHAPLAIN TERRY TOLIVER
DEFENDANTS**COMPLAINT****INTRODUCTION**

1. PLAINTIFF RONALD YANDELL is a pre-trial detainee incarcerated in the custody of the Sacramento County Main Jail.

2. On 7-1-19 PLAINTIFF WAS TRANSFERRED FROM NEW FOLSOM STATE PRISON TO THE SACRAMENTO COUNTY MAIN JAIL TO FACE FEDERAL CHARGES.

1 3. ON PLAINTIFF'S ARRIVAL ON 7-1-19 HE WAS PLACED
2 IN TOTAL SEPARATION (T-SEP) 8-WEST WHICH IS DESIGNATED
3 RESTRICTED HOUSING.

4 4. PLAINTIFF WAS NEVER GIVEN NOTICE, OR ANY TYPE
5 OF HEARING ON WHAT EVIDENCE WAS USED, OR WHO IT WAS
6 THAT MADE THE DECISION TO PLACE PLAINTIFF IN EXTREME
7 ISOLATION.

8 5. PLAINTIFF IS CHALLENGING THE CONSTITUTIONALITY
9 OF THE POLICY, PROCESS, RULES AND PROCEDURES ON
10 THE JAIL'S DECISION TO PLACE PLAINTIFF IN (T-SEP) WITH-
11 OUT TRANSPARENCY.

12 6. PLAINTIFF IS FACING A POTENTIAL DEATH PENALTY
13 CASE AND THE ATTORNEY / CLIENT VISITING BOOTH PROVIDED
14 ON 8-WEST IS NOT SOUND PROOF.

15 7. PLAINTIFF CAN NOT DISCUSS HIS CASE WITH HIS
16 LEGAL TEAM WITHOUT BEING OVERHEARD BY OTHER
17 PRISONERS AND DEPUTIES.

18 8. PLAINTIFF IS CHALLENGING THE CONSTITUTIONALITY
19 OF THE JAIL'S POLICY CONCERNING PLAINTIFF'S ACCESS
20 TO OUTSIDE RECREATION.

21 9. PLAINTIFF IS CHALLENGING THE UNDERGROUND
22 POLICY OF MOVING PLAINTIFF CELL TO CELL EVERY
23 7 TO 21 DAYS SOLELY FOR THE PURPOSE OF HARASS-
24 MENT AFTER ALTERCATION WITH DEPUTIES.

25 10. PLAINTIFF IS CHALLENGING THE CONSTITUTIONALITY
26 OF PLACING HIM IN UNSANITARY CELLS ON FORCED
27 MOVES WITHOUT PROPER CLEANING SUPPLIES AND
28 PROTECTIVE GLOVES.

11. PLAINTIFF IS CHALLENGING THE CONSTITUTIONALITY OF CHAPLAIN TERRY TOLIVER DENIAL OF PLAINTIFF'S MULTIPLE REQUESTS AND GRIEVANCES REQUESTING A VEGETARIAN DIET IN LINE WITH PLAINTIFF'S BUDDHISM BELIEFS AND PRACTICES.

JURISDICTION

12. THIS CAUSE OF ACTION ARISES UNDER THE UNITED STATES CONSTITUTION, ENFORCEABLE PURSUANT TO 42 U.S.C. § 1983. JURISDICTION IS PROPER PURSUANT TO 28 U.S.C. §§ 2201 AND 2202.

VENUE

13. VENUE IS PROPER UNDER 28 U.S.C. § 1391(b)(2), BECAUSE THE EVENTS AND OMISSIONS GIVE RISE TO THE CLAIMS OCCURRING IN THIS DISTRICT.

PARTIES

14. PLAINTIFF RONALD YANDELL IS A PRE-TRIAL DETAINEE INCARCERATED IN THE CUSTODY OF THE SACRAMENTO COUNTY SHERIFF DEPARTMENT, AND IS CURRENTLY HOUSED AT THE SACRAMENTO COUNTY MAIN JAIL.

15. DEFENDANT SCOTT JONES IS ELECTED SHERIFF OF THE SACRAMENTO COUNTY SHERIFF DEPARTMENT. HE HAS OVERALL RESPONSIBILITY FOR THE POLICIES, PROCEDURES, OPERATIONS AND SUPERVISION OF THE SHERIFF DEPARTMENT, ITS EMPLOYEES, AGENTS, AND JAIL. THUS, DEFENDANT JONES IS RESPONSIBLE FOR THE ACTS COMPLAINED OF

1 HEREIN, VIA HIS CAPACITY OF POLICYMAKER. HE IS SUED
2 IN HIS OFFICIAL CAPACITY FOR INJUNCTIVE RELIEF, AND IN
3 HIS INDIVIDUAL CAPACITY FOR DAMAGES.

4 16. DEFENDANT BRANDON LUKE IS THE COMMANDER
5 OF THE SACRAMENTO COUNTY MAIN JAIL WHO HOLDS THE RANK
6 OF CAPTAIN. HE HAS DIRECT RESPONSIBILITY FOR THE POLICIES,
7 PROCEDURES, OPERATIONS AND SUPERVISION OF THE EM-
8 PLOYEES, AGENTS, AND DEPUTIES OF THE SACRAMENTO COUNTY
9 MAIN JAIL. HE HAS DIRECT RESPONSIBILITY FOR THE CON-
10 DITIONS OF CONFINEMENT AT THE SAC. MAIN JAIL AS THE
11 COMMANDER. THUS, DEFENDANT LUKE IS RESPONSIBLE
12 FOR THE ACTS COMPLAINED OF HEREIN, VIA HIS POSITION
13 OF OVERSEER, AND HIS CAPACITY AS POLICYMAKER.
14 HE IS SUED IN HIS OFFICIAL CAPACITY FOR INJUNCTIVE
15 RELIEF, AND IN HIS INDIVIDUAL CAPACITY FOR DAMAGES.

16 17. DEFENDANT MCKRASIE IS AN ASSISTANT COMMAND-
17 ER AT THE SACRAMENTO COUNTY MAIN JAIL WHO HOLDS THE
18 RANK OF SERGEANT badge #165. DEFENDANT MCKRASIE DENIED
19 PLAINTIFF'S GRIEVANCE THROUGH THE JAIL'S ADMINISTRATIVE
20 REMEDY PROCEDURES. DEFENDANT MCKRASIE IS AN ACTIVE
21 PARTICIPANT FOR THE ACTS COMPLAINED HEREIN, VIA HIS
22 DIRECT INVOLVEMENT, AND IN HIS CAPACITY AS DECISION
23 MAKER. HE IS SUED IN HIS OFFICIAL CAPACITY FOR IN-
24 JUNCTIVE RELIEF, AND IN HIS INDIVIDUAL CAPACITY FOR
25 DAMAGES.

26 18. DEFENDANT HAMPTON IS AN ASSISTANT COMMAND-
27 ER AT THE SACRAMENTO COUNTY JAIL WHO HOLDS THE
28 RANK OF LIEUTENANT badge #50. DEFENDANT HAMPTON

1 DENIED PLAINTIFF'S GRIEVANCES ON MULTIPLE CLAIMS
2 THROUGH THE JAIL'S ADMINISTRATIVE REMEDY PROCED-
3 URES. DEFENDANT IS AN ACTIVE PARTICIPANT FOR THE
4 ACTS COMPLAINED HEREIN, VIA HIS DIRECT INVOLVEMENT
5 AND IN HIS CAPACITY AS DECISION MAKER. HE IS SUED
6 IN HIS OFFICIAL CAPACITY FOR INJUNCTIVE RELIEF AND
7 IN HIS INDIVIDUAL CAPACITY FOR DAMAGES.

8 19. DEFENDANT SCHALLER IS A SUPERVISOR AT THE
9 SACRAMENTO COUNTY MAIN JAIL WHO HOLDS THE RANK OF
10 SERGEANT badge #2021. DEFENDANT SCHALLER HAD
11 DIRECT INVOLVEMENT IN MANY OF PLAINTIFF'S FORCED
12 CELL MOVES. SHE WAS AN ACTIVE PARTICIPANT FOR THE
13 ACTS COMPLAINED HEREIN, VIA HER INVOLVEMENT AND IN
14 HER CAPACITY AS DECISION MAKER IN THE GRIEVANCE
15 PROCESS. SHE IS SUED IN HER OFFICIAL CAPACITY FOR
16 INJUNCTIVE RELIEF AND HER INDIVIDUAL CAPACITY FOR
17 DAMAGES.

18 20. DEFENDANT PFAU IS A SUPERVISOR AT THE
19 SACRAMENTO COUNTY MAIN JAIL WHO HOLDS THE RANK OF
20 SERGEANT badge #128. DEFENDANT PFAU DENIED PLAINTIFF'S
21 GRIEVANCE THROUGH THE JAIL'S ADMINISTRATIVE REMEDY
22 PROCEDURES. DEFENDANT IS AN ACTIVE PARTICIPANT FOR
23 THE ACTS COMPLAINED HEREIN, VIA HER DIRECT INVOLVEMENT
24 AND HER CAPACITY AS DECISION MAKER. SHE IS SUED IN HER
25 OFFICIAL CAPACITY FOR INJUNCTIVE RELIEF AND HER IN-
26 DIVIDUAL CAPACITY FOR DAMAGES.

27 21. DEFENDANT SAIKA IS AN INTELLIGENCE DEPUTY
28 AT THE SACRAMENTO COUNTY MAIN JAIL WHO HOLDS THE

1 RANK OF SERGEANT badge # 38. DEFENDANT SAIKA HAS
 2 DIRECT RESPONSIBILITY FOR THE POLICIES, PROCEDURES
 3 AND OPERATIONS OF PLAINTIFF'S CONDITIONS OF CONFINEMENT
 4 IN 8-WEST (T-SEP), THUS, VIA HIS DIRECT INVOLVEMENT
 5 AS A PARTICIPANT IN THE ACTS COMPLAIN HEREIN. HE
 6 IS SUED IN HIS OFFICIAL CAPACITY FOR INJUNCTIVE
 7 RELIEF AND IN HIS INDIVIDUAL CAPACITY FOR DAMAGES.

8 22. DEFENDANT TERRY TOLIVER IS A CHAPLAIN AT
 9 THE SACRAMENTO COUNTY MAIN JAIL. DEFENDANT TOLIVER
 10 IS RESPONSIBLE FOR RELIGIOUS MATTERS CONCERNING
 11 DIETARY MEALS. HE IS A DIRECT PARTICIPANT IN
 12 PLAINTIFF'S EXERCISE OF RELIGION CLAIM, BOTH VIA HIS
 13 DIRECT INVOLVEMENT AND IN HIS CAPACITY AS DECISION
 14 MAKER. HE IS SUED IN HIS OFFICIAL CAPACITY FOR IN-
 15 JUNCTIVE RELIEF AND IN HIS INDIVIDUAL CAPACITY FOR
 16 DAMAGES.

17 STATEMENT OF FACTS

18 23. PLAINTIFF YANDELL INCORPORATES ALL FACTS
 19 PREVIOUSLY AND FURTHER AVERS AS FOLLOWS:

20 24. ON 7-1-19 PLAINTIFF WAS TRANSFERRED FROM
 21 NEW TOLSON STATE PRISON TO THE SACRAMENTO MAIN
 22 JAIL TO FACE FEDERAL CHARGES.

23 25. ON 7-1-19 PLAINTIFF WAS PROCESSED THROUGH
 24 INTAKE/BOOKING AND HOUSED ON 8-WEST 400 Pod.

25 26. 8-WEST IS RESTRICTED HOUSING REFERRED TO
 26 AS TOTAL SEPARATION (T-SEP) WHERE PRISONERS ARE
 27 CONFINED IN SINGLE CELLS UP TO 22 HOURS A DAY.
 28

29. PLAINTIFF WAS NOT GIVEN NOTICE, ANY TYPE OF HEARING, OR EVEN TOLD HOW, OR WHY HIS DECISION WAS REACHED TO AUTOMATICALLY PLACE PLAINTIFF IN LONG TERM ISOLATION.

28. PLAINTIFF'S LONG TERM CONFINEMENT IN (T-SEP) "TWO YEARS, AND COUNTING" HAS VIOLATED PLAINTIFF'S U.S. CONSTITUTIONAL RIGHTS IN THE POLICIES SET FORTH IN THE REMEDIAL PLAN RE: MAYO V. COUNTY OF SACRAMENTO. CASE NO. 2:18-CV-02081-TLN-KJN.

29. PLAINTIFF IS CHALLENGING THE CONSTITUTIONALITY OF THE JAIL COMMANDER'S EXECUTIVE DECISION TO PLACE PLAINTIFF IN LONG TERM CONFINEMENT WITHOUT PROPER DUE PROCESS PROCEDURES.

30. WITHIN DAYS OF PLAINTIFF'S ARRIVAL AT THE SACRAMENTO COUNTY MAIN JAIL HE BEGAN MEETING WITH HIS LEGAL TEAM.

31. THE ATTORNEY/CLIENT VISITING BOOTH IS A SMALL ROOM WITH A THICK WINDOW SEPARATING CLIENT AND ATTORNEY AND IS NOT CONFIDENTIAL DUE TO THE JAIL'S OWN ADMISSION THAT IT IS NOT SOUND PROOF.

32. THE SOCIAL VISITING AREA IS DIRECTLY IN THE VICINITY OF THE ATTORNEY/CLIENT BOOTH, AND IF SOMEONE IS OCCUPYING THE SOCIAL AREA CONVERSATIONS CAN EASILY BE OVERHEARD BY ALL PARTIES WHICH HINDERS PLAINTIFF'S ABILITY TO STRATEGIZE WITH HIS LEGAL TEAM.

33. THIS SERIOUS VIOLATION WAS AT ISSUE IN PLAINTIFF'S CRIMINAL CASE 2:19-CR-00107-KJM AND

1 PLAINTIF AND HIS CO-DEFENDANTS WERE ADVISED TO
2 FILE CIVIL COMPLAINTS ON THE MATTER.

3 34. JAIL COMMANDERS HAVE STATED THEY HAVE
4 NO PLANS TO MAKE THE ATTORNEY/CLIENT BOOTH SOUND
5 PROOF.

6 35. ON JULY 11, 2020 PLAINTIFF WAS INVOLVED IN A
7 PHYSICAL ALTERCATION WITH THREE DEPUTIES AFTER A
8 DEPUTY PUSHED CELL DOOR IN PLAINTIFF'S FACE.

9 36. PLAINTIFF WAS FOUND GUILTY OF ASSAULT
10 AND GIVEN 15 DAYS LOSS OF PRIVILEGES.

11 37. PRIOR TO THE ALTERCATION PLAINTIFF OCCUPIED
12 THE SAME CELL FOR 9 OR 10 MONTHS.

13 38. WITHIN 2 TO 3 DAYS AFTER PLAINTIFF'S ALTER-
14 CATION WITH DEPUTIES PLAINTIFF AND HIS CO-DEFEND-
15 ANTS WERE TOLD BY SEVERAL DEPUTIES THAT THEY
16 WERE ORDERED BY THEIR COMMANDERS TO MAKE US
17 UNCOMFORTABLE BY MOVING US CELL TO CELL ON A
18 WEEKLY BASIS.

19 39. SOME OF THESE CELL MOVES WERE CARRIED
20 OUT AT MIDNIGHT OR THREE IN THE MORNING BY
21 A SERGEANT, AND 3 TO 4 DEPUTIES BY BANGING
22 ON CELL DOOR AND SHINNING A FLASHLIGHT IN
23 PLAINTIFF'S EYES.

24 40. ONCE PLAINTIFF IS HANDCUFFED HE IS ESCORTED
25 DOWNSTAIRS TO INTAKE/BOOKING PARADED IN FRONT OF
26 NEWLY ARRIVED INMATES, GIVEN BODY SCAN, RETURNED
27 TO 8⁰ WEST 400 POD, AND PLACED IN A DIFFERENT CELL.

28 41. PLAINTIFF'S PROPERTY IS SEARCHED, INCLUDING

1 legal work which is tossed up and mixed with
2 takes plaintiff hours to rearrange.

3 42. THE DIFFERENT CELL PLAINTIFF IS PLACED IN IS
4 PREVIOUSLY OCCUPIED BY ANOTHER INMATE AND IS
5 UNSANITARY.

6 43. THE DEPUTIES DO NOT SANITIZE THESE CELLS
7 AFTER MOVING PREVIOUS INMATE NOR ANY JAIL
8 WORKERS

9 44. TO CLEAN CELL PLAINTIFF MUST USE HIS UN-
10 COVERED HANDS IN ORDER TO SANITIZE FLOOR, TOILET
11 AND SINK WITHOUT PROPER CLEANING EQUIPMENT.

12 45. THESE ARBITRARY CELL MOVES BEGAN IN
13 JULY, 2020 AND HAVE BEEN CONTINUALLY CARRIED
14 OUT ON 8-19-20, 11-7-20, 11-27-20, 12-11-20,
15 12-22-20, 1-11-21, 1-30-21, 2-14-21, 4-7-21 AND
16 4-28-21.

17 46. ALSO IT SHOULD BE POINTED OUT THAT 400 Pod
18 WAS RAIDED AT MIDNIGHT ON 3-1-21, AND 3-29-21
19 BY 40 TO 50 DEPUTIES WITH K-9'S WHERE PLAINTIFF
20 AND HIS CO-DEFENDANTS WERE HANDCUFFED FOR HOURS
21 IN SEPARATE VISITING BOOTHS AND DEPUTIES TRASHED
22 CELLS.

23 47. THIS DESIGNED HARASSMENT HAS BEEN
24 APPEALED BY PLAINTIFF NUMEROUS TIMES AND JAIL
25 COMMANDERS, AND SUPERVISORS HAVE GIVEN NOTHING
26 BUT CONTRADICTING REASONS FOR THESE RETALIATORY
27 CELL MOVES

28 48. ONLY PLAINTIFF AND HIS CO-DEFENDANTS

1 ARE MOVED ON A WEEKLY BASIS ATYPICAL TO ALL
2 OTHER CLASS INMATES.

3 49. SINCE PLAINTIFF'S PLACEMENT IN (T-SEP) HE HAS NOT
4 BEEN ALLOWED ADEQUATE OUTSIDE RECREATION.

5 50. PLAINTIFF WAS NOT ALLOWED OUTSIDE RE-
6 CREATION FROM OCT., 2020 TO MAR., 2021, AND
7 IS NOW ONLY ALLOWED OUT 4 TO 5 HOURS A MONTH.

8 51. PLAINTIFF IS A PRACTICING BUDDHIST. PLAINTIFF
9 SENT MULTIPLE REQUESTS AND GRIEVANCE TO JAIL
10 CHAPLAIN REQUESTING A VEGETARIAN DIET

11 52. CHAPLAIN TERRY TOLVER RESPONDED TO RE-
12 QUESTS BY HAVING PLAINTIFF ANSWER RELIGIOUS
13 QUESTIONS AS SOME KIND OF TEST.

14 53. PLAINTIFF IS NOT REQUIRED TO ANSWER OR
15 EXPLAIN HIS RELIGIOUS REASONS TO ANYONE BUT
16 PLAINTIFF STILL EXPLAINED THE CORE BUDDHISM
17 DOCTRINE.

18 54. AFTER PARTICIPATING IN THIS QUESTIONING
19 FROM A CATHOLIC CHAPLAIN CONCERNING A RELIGION
20 NOT OF HIS FAITH HE DENIED PLAINTIFF'S REQUEST
21 AS INSINCERE.

22 55. THEN ON 3-20-20 PLAINTIFF FILED ANOTHER
23 GRIEVANCE REQUESTING A VEGETARIAN DIET WHICH
24 IS PLAINTIFF'S RIGHTS UNDER SENATE BILL 1138
25 SIGNED INTO LAW SEPT. 18, 2018 BY THEN GOVERNOR
26 BROWN FOR PERSONAL AND HEALTH REASONS SINCE
27 PLAINTIFF SUFFERS FROM A DOCUMENTED CHRONIC
28 CONDITION BUT GRIEVANCE WAS COMPLETELY IGNORED.

56. PLAINTIFF HAS FILED NUMEROUS GRIEVANCES ON ALL ISSUES ABOVE AND ALL WERE DENIED OR IGNORED OUTRIGHT.

CLAIMS FOR RELIEF

FIRST CLAIM

FOURTEENTH AMENDMENT VIOLATION: DUE PROCESS. DEFENDANTS SCOTT JONES, BRANDON LUKE, HAMPTON badge #50, SAIKA badge #38, PFAU badge #128, SCHWELER badge #2021 AND MCKRASIE badge #165 VIOLATED PLAINTIFF'S RIGHTS UNDER THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION TO DUE PROCESS.

SUPPORTING FACTS: ALL ABOVE DEFENDANTS VIOLATED PLAINTIFF'S FOURTEENTH AMENDMENT RIGHTS TO DUE PROCESS FOR FAILURE TO FOLLOW REMEDIAL PLANS / NEW POLICIES SET FORTH IN RE: MAYN V. SACRAMENTO COUNTY CASE NO. 2:18-CV-02081-TLN-KON. PLAINTIFF DOES NOT MEET CRITERIA FOR LONG TERM ISOLATION.

INJURY: UNDUE STRESS, ANXIETY AND QUALITY OF LIFE ATYPICAL TO SIMILAR SITUATED INMATES IN THE SACRAMENTO COUNTY MAIN JAIL.

SECOND CLAIM

FIRST AMENDMENT VIOLATION: CONFIDENTIAL LEGAL VISITS. DEFENDANTS SCOTT JONES, BRANDON

LUKE, SCHALLER badge #2021 and MCKRASIE badge #165 VIOLATED PLAINTIFF'S FIRST AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION FOR FAILURE TO PROVIDE PLAINTIFF WITH A CONFIDENTIAL ATTORNEY/CLIENT VISITING BOOTH TO CONFER WITH HIS LEGAL TEAM WITHOUT BEING OVERHEARD BY DEPUTIES AND OTHER INMATES.

SUPPORTING FACTS: ALL ABOVE DEFENDANTS HAVE VIOLATED PLAINTIFF'S FIRST AMENDMENT RIGHTS FOR FAILURE TO PROVIDE PLAINTIFF WITH A CONFIDENTIAL ATTORNEY/CLIENT VISITING BOOTH EITHER IN THEIR POSITION AS POLICY MAKER OR POSITION AS DECISION MAKER THROUGH THE GRIEVANCE PROCESS UNDER THE UNITED STATES CONSTITUTION.

INJURY: UNDUE STRESS AND ANXIETY FROM NOT BEING ABLE TO PROPERLY AND CONFIDENTIALLY SPEAK WITH MY LEGAL TEAM.

THIRD CLAIM

EIGHTH AMENDMENT VIOLATION: CONDITIONS OF CONFINEMENT. DEFENDANTS SCOTT JONES, BRANDON LUKE, HAMPTON badge #50, SAIKA badge #38, SCHALLER badge #2021 and MCKRASIE badge #165 VIOLATED PLAINTIFF'S EIGHTH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION BY ORDERING, AND ALLOWING

1 A systematic plan of retaliation against
 2 Plaintiff after July 11, 2020 altercation with
 3 Deputies by moving him cell to cell every 7 to
 4 21 days and being placed in a different unsanitary
 5 cell

6
 7 Supporting Facts: All above Defendants have
 8 violated Plaintiff's Eighth Amendment rights to
 9 the United States Constitution by ordering the
 10 retaliation in arbitrary cell to cell moves
 11 in unsanitary condition or for their failure
 12 to take corrective action through the griev-
 13 ance process after Plaintiff's altercation
 14 with Deputies July 11, 2020 which shows a
 15 crystal clear picture of punitive retaliation.

16
 17 Injury: Undue stress and anxiety atypical to
 18 similar situated Sacramento County Min Jail
 19 inmates.

20 21 Fourth Claim

22 Eighth Amendment violation: Conditions
 23 of confinement. Defendants Scott Jones,
 24 Brandon Luke, Schaller badge #2021, and
 25 McKrasie badge #165 violated Plaintiff's Eighth
 26 Amendment rights to the United States Constitu-
 27 tion for failure to provide adequate outside
 28 recreation

SUPPORTING FACTS: ALL ABOVE DEFENDANTS HAVE VIOLATED PLAINTIFF'S EIGHTH AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION FOR THEIR FAILURE TO PROVIDE PLAINTIFF WITH ADEQUATE OUTSIDE RECREATION. FROM OCT., 2020 TO MAR., 2021 PLAINTIFF RECEIVED NO OUTSIDE RECREATION AND NOW ONLY RECEIVES 4 TO 5 HOURS A MONTH. AS POLICY MAKERS OR DECISION MAKERS DEFENDANTS ARE ALL RESPONSIBLE.

INJURY: QUALITY OF LIFE ATYPICAL TO SIMILAR SITUATED INMATES

FIFTH CLAIM

FIRST AMENDMENT VIOLATION: EXERCISE OF RELIGION. DEFENDANT TERRY TOLIVER VIOLATED PLAINTIFF'S FIRST AMENDMENT RIGHTS TO THE UNITED STATES CONSTITUTION FOR FAILURE TO PROVIDE VEGETARIAN DIET IN LINE WITH PLAINTIFF'S BUDDHISM BELIEFS OF NOT EATING MEAT OR FOODS PROCESSED WITH ANIMAL BY-PRODUCTS.

SUPPORTING FACTS: DEFENDANT TOLIVER VIOLATED PLAINTIFF'S FIRST AMENDMENT RIGHTS BY DENYING HIS REQUESTS FOR A VEGETARIAN DIET IN LINE WITH PLAINTIFF'S BUDDHISM BELIEF

1 IN NOT EATING ANIMALS. ALSO DEFENDANT
2 TOLIVER DENIED / IGNORED PLAINTIFF'S REQUEST
3 FOR A VEGETARIAN DIET UNDER SENATE BILL
4 1138 WHICH IS ALSO PLAINTIFF'S RIGHT FOR
5 PERSONAL OR HEALTH REASONS.
6

7 Injury: Quality of Life to similar situated
8 practicing Buddhists.
9

10 EXHAUSTION OF REMEDIES

11 PLAINTIFF HAS FULLY EXHAUSTED AVAILABLE REMEDIES.
12

13 PRAYER FOR RELIEF

14 WHEREFORE, THE PLAINTIFF PRAYS THAT THIS
15 HONORABLE COURT GRANT THE FOLLOWING RELIEF:

16 a. DECLARE THAT THE ACTS AND OMISSIONS OF THE
17 DEFENDANTS VIOLATED PLAINTIFF'S CONSTITUTIONAL
18 RIGHTS AND FEDERAL LAW;

19 b. ENTER AN INJUNCTION REQUIRING THE DEFENDANTS,
20 THEIR AGENTS, SUBORDINATES, EMPLOYEES, AND ALL
21 OTHERS ACTING IN CONCERT WITH THEM TO CEASE THEIR
22 UNCONSTITUTIONAL AND UNLAWFUL PRACTICES AND
23 TO REMEDY THEIR VIOLATIONS OF THE CONSTITUTION
24 AND THE LAWS;

25 c. ENTER AN INJUNCTION REQUIRING DEFENDANTS
26 TO RESTORE ALL RIGHTS AND PRIVILEGES;

27 d. AWARD TO PLAINTIFF REASONABLE COSTS AND
28 FEES;

1 F. AND, GRANT THE PLAINTIFF SUCH OTHER RELIEF
2 AS THE COURT MAY DEEM JUST AND PROPER.
3
4

5 RESPECTFULLY SUBMITTED, THIS THE 26TH DAY OF
6 MAY, 2021
7

8 RONALD YANDELL
9 Ronald Yandell 5045824
10 651 "I" STREET
11 SACRAMENTO, CA.
12 - 95814 -
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28